

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

**Proposing rule making related to state training school
and providing an opportunity for public comment**

The Human Services Department hereby proposes to amend Chapter 103, “State Training School,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 218.4.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 233A.

Purpose and Summary

The Department is proposing to update the rules in Chapter 103 for the State Training School to align with the Iowa Code and current policies. Proposed changes include removing Toledo as a listed facility. The rule on gifts and bequests of value would be updated to state that if the value of such item is \$50 or more, the gift or bequest shall be reported to the Iowa Ethics and Campaign Board within 20 days of receipt of the gift or bequest to align with Iowa Code section 8.7.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to rule 441—1.8(17A,217).

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on February 15, 2022. Comments should be directed to:

Nancy Freudenberg
Department of Human Services
Hoover State Office Building, Fifth Floor
1305 East Walnut Street
Des Moines, Iowa 50319-0114
Email: appeals@dhs.state.ia.us

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental

subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule **441—103.1(218)**, definitions of “Individual,” “Iowa sex offender registry” and “State training school,” as follows:

“*Individual*,” as used in this chapter, means any child who is committed to the director of the department of human services and is admitted to and receives services from the state training school. The terms “student,” “resident,” “juvenile,” and “youth” are synonymous with the term “individual.” For purposes of the state training school, the term shall also include a person whose stay is extended beyond the age of 18 under the provisions of ~~2009 Iowa Code Supplement~~ Iowa Code sections 232.53(2) and 232.53(4).

“*Iowa sex offender registry*” means a central registry of sex offenders established under ~~2009 Iowa Code Supplement~~ Iowa Code chapter 692A that is maintained by the department of public safety.

“*State training school*” means the ~~units~~ unit for juvenile delinquents at the Eldora ~~and Toledo facilities~~ facility as defined in Iowa Code section 233A.1(2).

ITEM 2. Amend paragraph **103.13(2)“b”** as follows:

b. All gifts or bequests, ~~regardless of value,~~ with a value of \$50 or more shall be reported to the Iowa ethics and campaign disclosure board within 20 days of receipt of the gift or bequest using the board's Form-GB. One copy of the completed form shall be sent to the division administrator.

ITEM 3. Strike “2009 Iowa Code Supplement” wherever it appears in rule **441—103.9(692A)** and insert “Iowa Code” in lieu thereof: